

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 025976-000100US
INTERNATIONAL APPLICATION NO: PCT/US03/40876		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/539,931
INTERNATIONAL FILING DATE 12/22/2003	PRIORITY DATE CLAIMED 12/20/2002	
TITLE OF INVENTION <b>INTRACUTANEOUS INJECTION</b>		
APPLICANT(S) FOR DO/EO/US <b>Steven Prestrelski et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/539,931		INTERNATIONAL APPLICATION NO. PCT/US03/40876		ATTORNEY'S DOCKET NUMBER 025976-000100US																																					
20. Other items or information: EV543777294US; Return Receipt Postcard; and Copy of Notification of Missing Parts Under 35 USC 371.																																									
<p>The following fees have been submitted</p> <table border="1"> <tr> <td>21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))</td> <td colspan="3">\$300</td> </tr> <tr> <td>22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))</td> <td colspan="3">\$</td> </tr> <tr> <td colspan="4">If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0</td> </tr> <tr> <td colspan="4">All other situations \$200</td> </tr> <tr> <td>23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))</td> <td colspan="3">\$</td> </tr> <tr> <td colspan="4">If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0</td> </tr> <tr> <td colspan="4">Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100</td> </tr> <tr> <td colspan="4">International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400</td> </tr> <tr> <td colspan="4">All other situations \$500</td> </tr> </table>				21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300			22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))	\$			If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0				All other situations \$200				23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))	\$			If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0				Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100				International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400				All other situations \$500				CALCULATIONS	PTO USE ONLY
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All other situations \$500																																									
<b>TOTAL OF 21, 22 and 23 =</b>				\$																																					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																									
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																																						
- 100 =	/50 =		x \$250	\$																																					
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 130																																					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																						
Total claims	- 20 =		x \$ 50	\$																																					
Independent claims	- 3 =		x \$200	\$																																					
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$																																					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$																																					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				\$																																					
<b>SUBTOTAL =</b>				\$																																					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$																																				
<b>TOTAL NATIONAL FEE =</b>				\$																																					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$																																				
<b>TOTAL FEES ENCLOSED =</b>				\$																																					
05/16/2006 MKAYPAGH 00000155 201430 10539931				Amount to be refunded:	\$																																				
01 FC:1617 130.00 DA				Amount to be charged:	\$ 130																																				

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/539,931	INTERNATIONAL APPLICATION NO. PCT/US03/40876	ATTORNEY'S DOCKET NUMBER 025976-000100US
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- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 20-1430 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Babak Kusha  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834

Babak Kusha

SIGNATURE

Babak Kusha

NAME

May 10, 2006

51.095

REGISTRATION NUMBER

60768945 v1

# TRANSMITTAL FORM

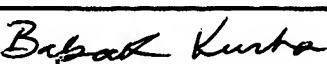
(to be used for all correspondence after initial filing)

		Application Number	10/539,931
		Filing Date	June 16, 2005
		First Named Inventor	Prestrelski, Steven
		Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission		Attorney Docket Number	025976-000100US

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC			
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences			
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)			
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information			
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter			
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):			
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Executed Declaration; and copy of Notification of Missing Requirements Under USC 371; Return Postcard			
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund				
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____				
<input checked="" type="checkbox"/> Reply to Notification of Missing Requirements Under 35 USC 371 (in duplicate)	<input type="checkbox"/> Landscape Table on CD				
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53					
<table border="1"> <tr> <td>Remarks</td> <td colspan="2">The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</td> </tr> </table>			Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.				

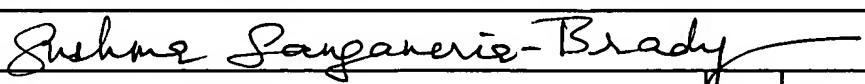
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Babak Kusha		
Date	May 10, 2006	Reg. No.	51,095

## CERTIFICATE OF TRANSMISSION/MAILING

Express Mail Label: EV543777294US

I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date May 10, 2006 and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Sushma Sanganeria-Brady	Date	May 10, 2006

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: Sushma Sanganeria-Brady  
Sushma Sanganeria-Brady

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Steven Prestrelski et al.

Application No.: 10/539,931

Filed: 12/22/2003

For: INTRACUTANEOUS INJECTION

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

**TRANSMITTAL LETTER –  
RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35  
U.S.C. 371 IN DO/EO/US**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated December 30, 2005, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration
- 2) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)

Please charge Deposit Account No. 20-1430 for the following fees:

Large Entity: (a) Missing Parts Surcharge \$130

**TOTAL FEES TO BE CHARGED** \$130

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in duplicate.

Respectfully submitted,



Babak Kusha  
Reg. No. 51,095

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415 576-0300  
BK/s2s

60769493 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

025976-000100US  
BPC, WC

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,931	Steven Prestrelski	025976-000100US
INTERNATIONAL APPLICATION NO.		
PCT/US03/40876		
I.A. FILING DATE	PRIORITY DATE	
12/22/2003	12/20/2002	

20350  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

**CONFIRMATION NO. 1118**  
**371 FORMALITIES LETTER**  
  
 \*OC000000017751061\*

*Response Due 02/28/06*

Date Mailed: 12/30/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/16/2005
- Copy of the International Search Report filed on 06/16/2005
- Request for Immediate Examination filed on 06/16/2005
- Copy of references cited in ISR filed on 06/16/2005
- U.S. Basic National Fees filed on 06/16/2005
- Priority Documents filed on 06/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

*BPC*

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

DEBORAH D WILLIAMS

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Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,931	PCT/US03/40876	025976-000100US

FORM PCT/DO/EO/905 (371 Formalities Notice)